

P-405/M-91-143 ORDER APPROVING TARIFF CHANGE

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Darrel L. Peterson  
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Chair  
Commissioner  
Commissioner  
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Commissioner

In the Matter of an Increase in  
Central Telephone Company  
Minnesota/Iowa's Telephone  
Assistance Plan Credit

ISSUE DATE: June 11, 1991

DOCKET NO. P-405/M-91-143

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**PROCEDURAL HISTORY**

On March 6, 1991, Central Telephone Company Minnesota/Iowa (Central) filed a petition requesting authority to increase the amount it credits subscribers who receive Telephone Assistance Plan (TAP) credit. Central's proposed tariff increased its TAP credit from \$3.39 per month to \$3.50 per month.

On May 2, 1991, the Minnesota Department of Public Service (the Department) filed its report and recommendation regarding Central's petition.

On May 21, 1991, the Commission met to consider this matter.

**FINDINGS AND CONCLUSIONS**

On July 1, 1990, the Federal Communications Commission (FCC) approved an increase in Central's Subscriber Line Charge (SLC) from \$3.39 per month to \$3.50 per month. The FCC requires that the TAP credit equal the SLC. As of July 1, 1990, therefore, Central was required to increase its TAP credit to \$3.50 per month to equal the new SLC rate. To satisfy this FCC requirement, Central implemented an increase in its TAP credit effective July 1, 1990.

The Commission will approve Central's proposed tariff change because the increase in the TAP credit is appropriate under the circumstances and the wording of the tariff will now conform to Central's practice.

The timing of Central's petition requires separate consideration, however. Central did not undertake to amend its tariff to

reflect the increase in its TAP credit until over 8 months after it had implemented the change. Failure to file this change before implementing it violates Minn. Stat. § 237.07, subd. 1 (1990) which states:

Every telephone company shall keep on file with the department a specific rate, toll, or charge for every kind of noncompetitive service and a price list for every kind of noncompetitive service subject to emerging competition, together with all rules and classifications used by it in the conduct of the telephone business.

Up to date tariffs assure that basic information about the provision of regulated utility service is a matter of public record. Maintenance of such tariffs is a basic responsibility that all Minnesota public utilities share. Minn. Stat. § 237.07, subd. 1 (1990). Adherence to basic statutory responsibilities should be business as usual for a mature and reliable public utility. Failure to abide by such a basic requirement subjects Central to enforcement proceedings by the Attorney General. Minn. Stat. § 237.461 (1990). While having the option to refer this violation to the Attorney General for civil penalty proceedings [Minn. Stat. § 237.461, subd. 2 (1990)], the Commission chooses instead to view Central's action in this case as an aberration that will not be repeated. The Commission will desist from referring the matter to the Attorney General in this instance.

#### ORDER

1. The tariff proposed by Central regarding its Telephone Assistance Plan Credit is approved.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster  
Executive Secretary

(S E A L)